

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

KIMBERY NGUYEN and DO NGUYEN, Individually and on behalf of all others similarly situated doing business as Shrimp Guy	§ § § § § § § § § §	PLAINTIFFS Civil No. 1:10cv241-HSO-JMR DEFENDANTS
v.		
BP, PLC, <i>et al.</i>		

**ORDER GRANTING CERTAIN DEFENDANTS'
MOTION FOR STAY OF PROCEEDINGS**

BEFORE THE COURT is a Motion for Stay of Proceedings pending a decision by the Judicial Panel on Multidistrict Litigation ["JPML"] on whether to transfer this matter to multidistrict litigation ["MDL"]. The instant Motion was filed by Defendants BP America, Inc., BP Products North America, Inc. and BP Exploration & Production Inc. ["BP Defendants"]. After consideration of the Motion, the related pleadings, the record in this case, and the relevant legal authorities, and for the reasons discussed below, the Court finds that the Motion should be granted.

According to BP Defendants, this case is one of at least seventy (70) related cases filed in various state and federal courts in the southeastern United States arising out of an explosion and fire onboard Transocean's Deepwater Horizon drilling rig on April 20, 2010, and the ensuing oil spill. *See* Mot. to Stay, at p. 2. BP Defendants seek a stay of this case, pending a decision by the JPML concerning a Motion to Transfer which BP Exploration & Production Inc. ["BPXP"], filed on May 7, 2010, in *In re: Deepwater Horizon Incident Litig.*, MDL No. 2179. *See id.*

The power of this Court to "stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for the litigants." *Landis v. North American Co.*, 299 U.S. 248, 254 (1936). The Court finds that Plaintiffs will not be unduly prejudiced if these proceedings are stayed pending a decision by the JPML on a possible transfer. The Court further finds that a stay of these proceedings will promote judicial economy. Therefore, the Court will exercise its discretion and stay all proceedings in this case, pending a decision by the JPML on BPXP's Motion to Transfer.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, for the reasons more fully stated herein, all proceedings in this case are hereby stayed pending a decision by the JPML on whether this case will be transferred to MDL.

SO ORDERED AND ADJUDGED, this the 1st day of July, 2010.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE